

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

THE MUSEUM OF MODERN ART,

Plaintiff,

- against -

MOMACHA IP LLC and MOMACHA OP LLC,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: <u>10/10/18</u>

18 Civ. 3364 (LLS)

ORDER

For the reasons set forth on pages 30-32 of the court's Opinion and Injunction dated September 28, 2018 (Dkt. No. 33), the Museum has sufficiently pleaded facts alleging that its marks are famous.

Accordingly, MOMACHA's motion to dismiss the claim for trademark dilution (Dkt. No. 23) is denied.

So ordered.

Dated: New York, New York
October 10, 2018

Louis L. Stanton
LOUIS L. STANTON
U.S.D.J.